



CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE

01-0-0786

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON March 29, 2001.

2636 Butner Road, SW	11
2043 Detroit Avenue, NW	03
309 Fletcher Street, SW	04
451 Holly Street, NW	03
457 Holly Street, NW	03
673 Rhodes Street, NW	03
305 Wellington Street, SW	04

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on March 29, 2001, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, on March 29, 2001, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and/or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.



NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to clean the premises and close the various structures following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
2636 Butner Road, SW	11
2043 Detroit Avenue, NW	03
309 Fletcher Street, SW	04
451 Holly Street, NW	03
457 Holly Street, NW	03
673 Rhodes Street, NW	03
305 Wellington Street, SW	04

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Clean the premises and board the structures(s) in conformity with the In Rem Review Board's Orders.
- (3) File a lien against the real property on which the structures(s) are attached for the cost incurred.
- (4) Maintain the property in conformity with the In Rem Review Board's Order until the structure(s) are repaired or demolished.

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,


Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

Jun 18, 2001
Jun 25, 2001



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Gloria Ann Johnson

on 3-29-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

all that tract or parcel of land, lying and being in Land Lot 42 of the 14th District, formerly Fayette, now Fulton County, Georgia, being Part of Lot 17, Block 6, Mary F. Dillard Property, and being more particularly described as follows:

BEGINNING at an iron pin on the southeasterly side of Butner Road, nine hundred ninety-three and nine tenths (993.9) feet north-easterly from Tell Road; running thence southeasterly, along a line that forms an interior angle of 89 degrees 36 feet with the southeasterly side of Butner Road, thirty-one and sixty-one hundredths (31.61) feet to an iron pin; running thence east, at an interior angle of 129 degrees 13 feet with the preceding course, three hundred eighty and two tenths (380.2) feet to an iron pin; running thence northwesterly, at an interior angle of 43 degrees 38 feet with the preceding course, two hundred seventy-six (276) feet to an iron pin and the southeasterly side of Butner Road; running thence southwesterly along the southeasterly side of Butner Road, at an interior angle of 97 degrees 33 feet with the preceding course, two hundred sixty-one (261) feet to the point of beginning, being improved property having a one story brick house thereon and being more particularly shown on survey prepared by Eston Pendley & Assoc., Inc., dated March 18, 1971.

2636 Butner Road, SW

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a *lis pendens* as to such real property.

Dated: March 29, 2001

BY:

Dale S. Haggard
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Castings
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

**Marvin Walker
Limited Mortgage Inc.**

on **3-29-01** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

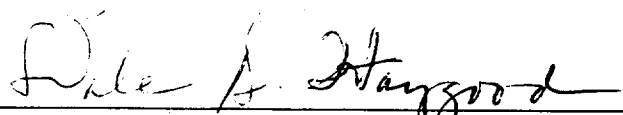
all that tract or parcel of land, lying and being in Land Lot 175 of the
14th District of Fulton County, Georgia, and being Lot 15 in Block "8" of
Pine Acre Subdivision, and more particularly described as follows:

Beginning at a point on the north side of Detroit Avenue seven hundred (700)
feet east of the west line of said subdivision, which point is at the
southwestern corner of Lot #14 of said block; thence running north one hundred
sixty-five and two-tenths (165.2) feet; thence east fifty (50) feet; thence
south one hundred sixty-four and four-tenths (164.4) feet to Detroit Avenue;
thence west, along the north side of Detroit Avenue fifty (50) feet to the point
of beginning; being improved property and having located thereon a one-story frame
residence being known as 2043 Detroit Avenue, N.W.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such
real property.

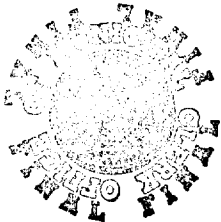
Dated: March 29, 2001

BY:


Bureau of Neighborhood Conservation, Official Agent

BY:


Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Martin Luther Edwards

PG One Capital

U.S. Bank National Association TR U/A Dated April 1, 1998 (Home Equity Loan Trust 1998)

on 3-29-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 74 of the 14th District of Fulton County, Georgia, being Lot 5, Block 3 of subdivision of the Meyer Development Company property according to Plat which is recorded in Plat Book 10, Page 95, Fulton County Records, more particularly described as follows:

BEGINNING at a point on the North side of Fletcher Street one hundred forty-nine (149) feet West of the Northwest corner of the intersection of Fletcher Street and Hugo Street; said point of beginning also being at the west line of Lot 4, said block, subdivision and plat; running thence West along the North side of Fletcher Street thirty seven (37) feet to the East line of Lot 6, said block, subdivision and plat; thence North along the East line of Lot 6 one hundred five (105) feet to the South line of Lot 7, said block, subdivision and plat; thence East along the South line of said Lot 7, thirty-seven (37) feet to the West line of the above mentioned 4; thence South along the West line of said Lot 4 one hundred five (105) feet to the North side of Fletcher Street and the point of beginning; being improved property known as No. 309 Fletcher Street, S.W., Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated:

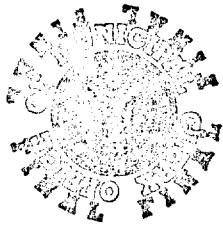
March 9, 2001

BY:

Dale S. Hayward
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Coulter
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Tamika Conley

Centex Home Equity Corporation

on 3-9-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

All that tract or parcel of land lying and being in Land Lot 146 of the 14th District of Fulton County, Georgia, being parts of Lots 63 & 64, J.A. Coursey Property, as per plat recorded in Plat Book 8, Page 93, Fulton County Records and being more particularly described as follows:

BEGINNING at a point on the East side of Holly Street, One Thousand Three Hundred Eighty Seven (1387) feet North from the intersection formed by the east side of Holly Street with the north side of Simpson Street; said point of beginning also being the northwest corner of property now or formerly owned by Gladys Rus Galloway; running thence North along the east side of Holly Street, Fifty (50) feet to the property now or formerly owned by Joseph & Laura Reid; running thence East along the south line of said Reid property, One Hundred Ninety (190) feet to the west side of a ten (10) foot alley; running thence South along the west side of said alley, Fifty (50) feet to said Galloway Property One Hundred Ninety (190) feet to the east side of Holly Street and the point of beginning. Being improved property known as 451 Holly Street, NW

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

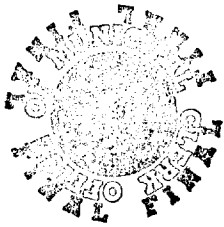
Dated: March 9, 2001

BY:

Dale S. Haggard
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Conley
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Rosher Matthews and Millie Matthews

on 3-9-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

all that tract or
parcel of land lying and being in The City of Atlanta in Land Lot 146 of the 14th District of
Fulton County, Georgia, more particularly described as follows:

BEGINNING at a point on the east side of Holly Street one thousand four hundred forty (1,440) feet, more or less, north of the northeast corner of Holly Street and Simpson Street, said point of beginning being at the northwest corner of property now or formerly owned by Adiner R. Hamby; running thence east along the north line of said Hamby property one hundred thirty seven and one-tenth (137.1) feet; thence north sixty seven (67) feet; thence west one hundred thirty seven and one-tenth (137.1) feet to the east side of Holly; thence south along the east side of Holly Street sixty seven (67) feet to the point of beginning; being improved property known as No. 457 Holly Street, N.W.; according to the present numbering of houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

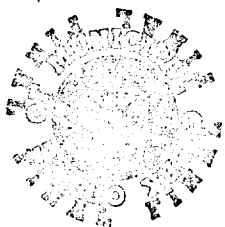
Dated: March 9, 2001

BY:

Dale S. Hayswood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Castings
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Ikenna Ikokwu

Bank One, NA

on **3-9-01** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF ATLANTA IN
LAND LOT 110 OF THE 14TH DISTRICT OF ORIGINALLY HENRY, NOW FULTON COUNTY,
GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTH SIDE OF RHODES STREET FIVE HUNDRED SIX AND
FIVE-TENTHS (506.6) FEET WEST OF VINE STREET AND RUNNING THENCE WESTERLY
ALONG THE NORTH SIDE OF RHODES STREET TWENTY-EIGHT (28) FEET; THENCE NORTH
ONE HUNDRED (100) FEET; THENCE EAST TWENTY-EIGHT (28) FEET; THENCE SOUTH ONE
HUNDRED (100) FEET TO THE POINT OF BEGINNING; AND KNOWN IN THE PRESENT
SYSTEM OF NUMBERING HOUSES IN THE CITY OF ATLANTA AS 873 RHODES STREET, N.W.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This
notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such
real property.

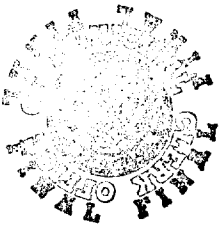
Dated: **March 9, 2001**

BY:

Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Castings
Assistant Real Estate City Attorney



TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Susie L. Burton

on 3-9-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

all that tract or parcel of land lying and being in the City of Atlanta and in Land Lot 149 of the 14th District of Fulton County, Georgia, and more particularly described as follows:

BEGINNING on the west side of Wellington Street one hundred fifty (150) feet south of Greensferry Avenue, and thence running south along the west side of Wellington Street fifty (50) feet; thence west one hundred sixty (160) feet; thence north fifty (50) feet; thence east one hundred sixty (160) feet to the point of beginning. Being improved property known as 305 (formerly 169) Wellington Street, S.W., according to the present system of numbering houses in the City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: March 9, 2001

BY:

Dele S. Haygood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Carter
Assistant Real Estate City Attorney

RCS# 2950
6/18/01
2:46 PM

Atlanta City Council

Regular Session

MULTIPLE

01-O-0786; Clean & Close Premises
01-O-0787; Clean & Demolish Premises
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	NV Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	NV Muller	B Boazman	NV Pitts

MULTIPLE

01-O-0786

ORDINANCE BY: COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO
DIRECT THE DEPARTMENT OF PLANNING,
DEVELOPMENT AND NEIGHBORHOOD CONSERVATION
(BUREAU OF NEIGHBORHOOD CONSERVATION) TO
CLEAN THE PREMISES AND CLOSE THE VARIOUS
STRUCTURES, PURSUANT TO ARTICLE III OF THE
ATLANTA HOUSING CODE AND A HEARING
CONDUCTED BY THE IN REM REVIEW BOARD ON
March 29, 2001.

2636 Butner Road, SW 11
2043 Detroit Avenue, NW 03
309 Fletcher Street, SW 04
451 Holly Street, NW 03
457 Holly Street, NW 03
673 Rhodes Street, NW 03
305 Wellington Street, SW 04

ADOPTED BY
JUN 18 2001

COUNCIL

- ☒ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 6/4/01

Referred To:
Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee

Date

Chair

Referred to

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED

JUN 18 2001

ATLANTA CITY COUNCIL PRESIDENT

Robert A. Parker

CERTIFIED

JUN 18 2001

DEPUTY MUNICIPAL CLERK

Julie

MAYOR'S ACTION

APPROVED

JUN 25 2001

Willie Mae